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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/797,403 | 03/09/2004 | Brian Jones | D-1222 R3 | 5590 |

28995 7590 05/04/2005

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EXAMINER

LABAZE, EDWYN

ART UNIT PAPER NUMBER

2876

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

11A

| | | | |
|------------------------------|-------------------------------|------------------------------|--|
| Office Action Summary | Application No. 10/797,403 | Applicant(s) JONES ET AL. | |
| | Examiner EDWYN LABAZE | Art Unit 2876 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-18 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-18 are presented for examination.
2. This application claims the benefits of 60/453,609 filed on 03/10/2003.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-14 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Swinton et al. (U.S. 6,398,108).

Re claim 1: Swinton et al. discloses machine for dispensing media, which includes a media dispenser [herein ATM 10 having a dispenser slot 20; as shown in fig. # 1; col.4, lines 1+), wherein the dispenser is adapted for use in an automated banking machine 10, wherein the dispenser includes a sheet transport management (herein described as a transport mechanism T;

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col.4, lines 25-67), wherein the transport arrangement includes a drive shaft 78/52 having at least one drive roller 78A thereon (col.7, lines 17-25), wherein the transport arrangement includes an idle shaft having a least one idle roller thereon (as shown in fig. # 8; col.6, lines 52-67), wherein the transport arrangement includes at least one belt 38/40 respectively supported on a drive roller 78A and an idle roller 52/54, wherein the drive shaft is operative to drive the idle shaft 52/54 via the at least one belt 38/40, wherein the idle shaft 52/40 is movable relative to the drive shaft to maintain the at least one belt 38/40 in a state of tension (col.8, lines 5067).

Re claims 2, 5: Swinton et al. teaches an apparatus and method, wherein the idle shaft is spring [through the torsion spring 50TS] loaded (col.7, lines 1+).

Re claim 3: Swinton et al. discloses an apparatus and method, wherein the idle shaft is supported at each end in a respective slidable flange (col.6, lines 55+).

Re claim 4: Swinton et al. teaches an apparatus and method, wherein the dispenser includes a housing slots 20, wherein each is slidable in a respective slot (as shown in figs. # 3 & 6; col.4, lines 17+; col.6, lines 18+).

Re claim 6: Swinton et al. discloses an apparatus and method, wherein each spring is attached to a flange [such a rib or rim for attachment of another object; herein regarded as link 901 of fig. # 13] at one spring end, and wherein each spring is attached to a slidable block at an opposite spring [herein broadly interpreted as link 904/903 of fig. # 13] end (col.8, lines 8+).

Re claim 7: Swinton et al. teaches an apparatus and method, wherein the idle shaft is associated with at least one ratchet device [herein broadly interpreted as the pulleys 43/45], wherein the at least one ratchet device prevents movement of the idle shaft toward the drive shaft (col.6, lines 5+).

Re claim 8: Swinton et al. discloses an apparatus and method, wherein the drive rollers 56 and idle rollers 52/54 have a concave outer circumferential surface configuration (see fig. # 10).

Re claim 9: Swinton et al. teaches an apparatus and method, wherein the drive rollers have a grooved outer circumferential surface (see fig. # 14 & 15).

Re claim 10: Swinton et al. discloses an apparatus and method, wherein the idle rollers 52/54 have a generally smooth outer circumferential surface relative to the grooved surface of the drive rollers 56 (see figs. # 10 & 11).

Re claims 11-12: Swinton et al. teaches an apparatus and method, wherein the dispenser includes a housing having a slotted opening 20, wherein an end of the drive shaft is removably mounted in the slotted opening 20B (as shown in fig. # 15), and wherein the dispenser includes a housing cover [herein broadly interpreted as the shutters 20A, 20B; as shown in figs. # 3 & 7], wherein the cover in a closed position is operative to retain the end of the drive shaft in the slotted opening (col.6, lines 22+).

Re claim 13: Swinton et al. discloses an apparatus and method, wherein the dispenser includes at least one guide roller 58/60 adjacent the drive roller 56, wherein a guide roller extends at least partially between the drive roller 56 and the idle roller 52/54, wherein the guide roller is operative to provide curvature to a belt 38/40 supported on the drive roller and the idle roller (as shown in figs. # 8 & 9; col.8, lines 50-67; col.9, lines 1+).

Re claim 14: Swinton et al. teaches an apparatus and method, the transport arrangement is operative to transport currency notes [herein described as cash] intermediate the at least one belt

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38/40 and a transport wall 23, wherein the transport wall comprises aligned walls of stacked dispenser modules (as shown in fig. # 3; col.4, lines 17-45).

Re claim 16: Swinton et al. discloses an apparatus and method, wherein the media dispenser comprises a currency dispenser in an ATM 10, wherein the currency dispenser 20 contains currency notes [herein described as cash] therein (col.4, lines 5+).

Re claim 17: Swinton et al. teaches an apparatus and method, placing the at least one belt in a state of tension via at least one spring 50TS (col.5, lines 22-65; col.7, lines 55+); rotating the drive shaft to drive the at least one belt 38/40 (col.7, lines 17+; col.12, lines 7+); responsive to (b), moving a sheet in engagement with the at least one belt 38/40 (col.2, lines 20-42); moving the idle shaft away from the drive shaft via the at least one spring to maintain the at least one belt in a state of tension (col.8, lines 46-67).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swinton et al. (U.S. 6,398,108) in view of Clark et al. (U.S. 6,510,985).

The teachings of Swinton et al. have been discussed above. Swinton et al. further discloses a first flange attached to at least one first spring 903, wherein the first flange [such a rib or rim for attachment of another object; herein regarded as link 901 of fig. # 13] is slidable in a

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first slot in the dispenser housing 20, a second end in a second flange 901, wherein the second flange is attached to at least one second spring 904, and wherein the second flange is slidable in a second slot in the dispenser housing 20 (col.8, lines 5+).

Swinton et al. fails to teach a transport arrangement comprises of at least three belts.

Clark et al. teaches automatic teller machine, which includes a transport arrangement comprises of at least three belts 1, 2, & 3 (as shown in fig. # 2; col.2, lines 28+).

In view of Clark et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings a transport arrangement comprises of at least three belts so as to increase the speed of the transport mechanism. Furthermore, such modification is well known in the art [as exemplified by the examiner in U.S. 5,850,075 of Brannan et al.) and utilized to dispense banknotes/media/cash at a faster rate and reduce overall transaction times. Moreover, such modification would have been an obvious extension as taught by Swinton et al.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brannan et al. (U.S. 5,850,075) teaches receipt transport and retrieval system for automated banking machine.

Patterson (U.S. 6,276,603) discloses sheet dispensing mechanism.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El
Edwyn Labaze
Patent Examiner
Art Unit 2876
April 21, 2005



THIEN M. LE
PRIMARY EXAMINER